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In re Application of :
JUDKINS, et al. :
Application No.: 10/568,027 : DECISION ON RENEWED
PCT No.: PCT/US04/28557 :
Int. Filing Date: 02 September 2004 : PETITION UNDER
Priority Date: 02 September 2003 :
Atty. Docket No.: 060068 : 37 CFR 1.497(d)
For: METHOD AND APPARATUS FOR MAKING :
CELLULAR MATERIAL USING SLOW CURE :
ADHESIVES :
:

This decision is in response to applicant's "RENEWED PETITION UNDER 37 C.F.R. 1.497(d)" filed 31 July 2006 in the United States Patent and Trademark Office (USPTO).

BACKGROUND

On 14 June 2006, applicant was mailed a decision dismissing applicant's petition under 37 CFR 1.497(d). Applicant was afforded two months to file any request for reconsideration.

On 31 July 2006, applicant filed the present renewed petition.

DISCUSSION

As detailed in the decision mailed 14 June 2006, 37 CFR 1.497(d) [formally, 37 CFR 1.48] states in part: "If the oath or declaration filed pursuant to 35 U.S.C. 371(c)(4) and this section names an inventive entity different from the inventive entity set forth in the international application....applicant must submit:

- (1) a statement from each person being added or deleted as an inventor that the error in inventorship occurred without any deceptive intention on his or her part;
- (2) the fee set forth in 37 CFR 1.17(i); and
- (3) if an assignment has been executed by any of the original named inventors, the written consent of the assignee in compliance with 37 CFR 3.73(b); and

- (4) any new oath or declaration required by paragraph (f) of this section.

Applicant previously satisfied items (1) - (3).

Regarding item (4), applicant has presently filed a compliant oath or declaration pursuant to 37 CFR 1.497(a) which identifies, and is executed by, both inventors.

As such, applicant has satisfied the remaining concern from the decision mailed 14 June 2006.

CONCLUSION

For the reasons discussed above, the renewed request under 37 CFR 1.497(d) is **GRANTED**.

A review of the application papers reveals that applicant has now completed all the requirements of 35 U.S.C. 371 for entry into the national stage. This application has an international application filing date of 02 September 2004 and will be given a date of **31 July 2006** under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4).

The application is being returned to the United States Designated/Elected Office for further processing in accordance with this decision.



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